

**House Study Bill 638 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON SWAIM)

**A BILL FOR**

1 An Act relating to the criminal offense of intimidation with a  
2 dangerous weapon or motor vehicle, and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 708.6, Code 2009, is amended by striking  
2 the section and inserting in lieu thereof the following:

3 **708.6 Intimidation with a dangerous weapon or motor vehicle.**

4 1. A person commits intimidation with a dangerous weapon  
5 when the person shoots, throws, launches, or discharges a  
6 dangerous weapon at, into, or in a building, vehicle, airplane,  
7 railroad engine, railroad car, or boat, occupied by another  
8 person, or within an assembly of people, and thereby places  
9 the occupants or people in reasonable apprehension of serious  
10 injury or threatens to commit such an act under circumstances  
11 raising a reasonable expectation that the threat will be  
12 carried out.

13 2. A person commits intimidation with a motor vehicle  
14 when the person drives a motor vehicle at or into a building,  
15 vehicle, airplane, railroad engine, railroad car, or boat,  
16 occupied by another person, or at or into an assembly  
17 of people, and thereby places the occupants or people in  
18 reasonable apprehension of serious injury or threatens to  
19 commit such an act under circumstances raising a reasonable  
20 expectation that the threat will be carried out.

21 3. *a.* A person who commits intimidation with a dangerous  
22 weapon is guilty of a class "D" felony.

23 *b.* A person who commits intimidation with a motor vehicle is  
24 guilty of a class "D" felony.

25 4. *a.* A person who commits intimidation with a dangerous  
26 weapon with the intent to injure or provoke fear or anger in  
27 another is guilty of a class "C" felony.

28 *b.* A person who commits intimidation with a motor vehicle  
29 with the intent to injure or provoke fear or anger in another  
30 is guilty of a class "C" felony.

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EXPLANATION

32 This bill relates to the criminal offense of intimidation  
33 with a dangerous weapon or motor vehicle.

34 The bill reorganizes Code section 708.6 and creates the  
35 criminal offense of intimidation with a motor vehicle.

1 The bill does not modify the existing criminal offense of  
2 intimidation with a dangerous weapon.

3 Under the bill, a person commits intimidation with a motor  
4 vehicle if the person drives a motor vehicle at or into a  
5 building, vehicle, airplane, railroad engine, railroad car, or  
6 boat, occupied by another person, or at or into an assembly  
7 of people, placing the occupants or people in reasonable  
8 apprehension of serious injury or threatens to commit such an  
9 act under circumstances raising a reasonable expectation that  
10 the threat will be carried out.

11 A person who commits intimidation with a motor vehicle is  
12 guilty of a class "D" felony.

13 A person who commits intimidation with a motor vehicle with  
14 the intent to injure or provoke fear or anger in another is  
15 guilty of a class "C" felony.

16 A class "D" felony is punishable by confinement for no more  
17 than five years and a fine of at least \$750 but not more than  
18 \$7,500. A class "C" felony is punishable by confinement for no  
19 more than 10 years and a fine of at least \$1,000 but not more  
20 than \$10,000.